GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA

STARRED QUESTION NO:329
ANSWERED ON:21.03.2007
PENALTY ON OPERATORS
Adhalrao Patil Shri Shivaji;Saradgi Shri Iqbal Ahmed

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether the Telecom Regulatory Authority of India (TRAI) has decided to make 2007 the year of the consumers;

(b) if so, the details thereof;

(c) whether the TRAI Act, 1997 leaves very little scope for the regulator to regulate issues pertaining to quality of services and has no power to impose penalties on the erring operators;

(d) if so, whether the TRAI has sought more powers to take on the defaulting operators;

(e) if so, the details thereof; and

(f) the steps taken by the Union Government in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI DAYANIDHI MARAN)

(a) to (f) A Statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF LOK SABHA IN RESPECT OF PARTS (a) TO (f) OF LOK SABHA STARRED QUESTION NO. 329 FOR 21ST MARCH, 2007, REGARDING PENALTY ON OPERATORS.

(a) & (b) No, Sir. However, Telecom Regulatory Authority of India (TRAI) has issued a Consultation Paper in January, 2007, to institutionalize the system of handling consumer complaints. TRAI has decided to hold workshops in different parts of the country to create awareness among consumers and to build the capacity of consumer organizations.

(c) Section 11 (b)(v) of TRAI Act entrusts TRAI with the functions of laying down standards of Quality of Service to be provided by the Service Providers, ensuring the quality of service and conducting periodical survey of such service provided by Service Providers so as to protect the interest of consumers of telecommunication service.

As per the procedure contained in Section 34 of TRAI Act, TRAI has to file a complaint before a Chief Metropolitan Magistrate or a Chief Judicial Magistrate of first class to try the cases pertaining to quality of service. Section 29 of TRAI Act provides the penalty that can be imposed by the Chief Metropolitan Magistrate or a Chief Judicial Magistrate of first class.

(d) to (f) Telecom Regulatory Authority of India has sent a consolidated revised proposal to Department of Telecommunications in February, 2007, to consider various amendments in the TRAI Act, 1997, including amendment of Section 34 of TRAI Act.